"SCHEDULE I

[*See* Section 2(A)—(32)]

PART A

CLASSIFICATION OF LANDS

First Class.—Land possessing facilities for assured irrigation where two crops of paddy can be raised in a year or one crop of sugarcane can be raised.

Second Class.—Land not falling under the First Class or the Third Class—

(i) possessing facilities for assured irrigation where one crop of paddy can be raised in a year; or

(ii) irrigated by lifting water from a river, tank or channel.

Third Class.—Land irrigated from minor tanks where one crop of paddy can be raised in a year.

Explanation.—'Minor Tank' means a tank with a command over not more than fifty acres.

Fourth Class.—Rainfed wet lands.

Fifth Class.—Land not falling under the First, Second, Third or Fourth Class, situated in the taluks specified in column 3 of the Table.

Sixth Class.—Land not falling under First, Second, Third or Fourth Class in the taluks specified in column 4 of the Table.

Seventh Class.—(i) Land not falling under the First, Second, Third or Fourth Class situated in the taluks specified in column 5 of the Table or in any other area in the State.

(ii) Land anywhere in the State on which coconut trees and fruit bearing trees other than areca are raised without irrigation.

TABLE

Sl. No.	District	Name of the taluk	Name of the taluk	Name of the taluk
1	2	3	4	5
1	Bangalore	...	Bangalore North Doddaballapur Nelamangala Magadi Ramanagaram Devanahalli Channapatna	Bangalore South Hoskote Kanakapura Anekal
2	Kolar	...	Mulbagal Siddlaghatta Chickballapur Gowribidanur Srinivasapur Gudibanda	Kolar Bangarpet Chintamani Bagepalli Malur
3	Tumkur	...	Tumkur Kunigal Turuvekere	Madhugiri Chikanaikanahalli Sira Gubbi Tiptur Pavgada Koratgere
4	Mysore	Heggadadevanakote	Mysore Hunsur Krishnarajanagar Gundlupet T. Narasipur Periyapatna Kollegal Yelandur	Chamarajanagar Nanjangud
5	Mandya	...	Mandya Malavalli Krishnarajapet Maddur	Srirangapatna Nagamangala Pandavapura

1	2	3	4	5
6	Hassan	Belur Alur	Hassan Arkalgud Channarayapatna Holenarasipur	Arasikere
7	Shimoga	Shimoga Shikaripur Sorab Bhadravathi	Channagiri Honnali	
8	Chick-magalur	Chickmagalur	Tarikere	Kadur
9	Chitra-durga	...	Davangere	Chitradurga Challakere Hariyur Holalkere Molkalmuru Jagalur Hosdurga Hirihar
10	Bellary		Siruguppa Hadagalli Harapanahalli Sandur	Bellary Hospet Kudligi Mallapuram
11	Bidar	Bidar Bhalki Humnabad Basavakalyan	Santhpur (Aurad)	...
12	Gulbarga	Chincholi Sedam	Yadgir Gulbarga Aland Afzalpur Chittapur Jevargi Shorapur Shahapur	...

1	2	3	4	5
13	Raichur	...	Raichur Manvi Yelburga	Lingasugur Devadurga Kustagi Koppal Sindhanoor Gangavathi
14	Dharwar	Kalaghatgi Hangal	Dharwar Hubli Kundgol Shiggaon Hirekerur Haveri Shirahatti Byadagi Savanur	Gadag Ranebennur Mundargi Navalgund Naragund Ron
15	North Kanara	Mundgod Haliyal	...	...
16	Bijapur	...	Bijapur Indi Bagewadi Hungund	Sindgi Jamakhandi Muddebihal Mudhol Bagalkot Badami
17	Belgaum	Belgaum	Chikodi Hukkeri Sampagaon (Bailhongal) Parasagad (Saundatti)	Gokak Athani Raibag Ramadurg

PART B

FORMULA FOR DETERMINING EQUIVALENT EXTENT OF LAND IN DIFFERENT CLASSES.

One acre of first class of land=1.5 acres of second class of land=1.8 acres of third class of land=2.5 acres of fourth class of land=3.6 acres of fifth class of land=4.5 acres of sixth class of land=5.4 acres of seventh class of land."

75. *Disposal of pending proceedings.*—Notwithstanding anything contained in the principal Act or in the Mysore General Clauses Act, 1899, the provisions of the principal Act as amended by this Act shall be applicable to all proceedings commenced before the date of commencement of this Act and pending before any court, tribunal or other authority as if the principal Act as amended by this Act were in force when the right accrued or liability was incurred and every court, tribunal, or other authority shall deal with the proceedings accordingly.

76. *Repeal of section 4 of Mysore Act 4 of 1972.*—Section 4 of the Mysore Land Reforms (Second Amendment and Miscellaneous Provisions) Act, 1972 (Mysore Act 4 of 1972) is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

According to the existing provisions of the Mysore Land Reforms Act, 1961, a person can hold land upto 18 standard acres after 2nd October 1965 or 144 acres of last class of land. In the case of a person who had held land prior to 2nd October 1965, the extent to which he is permitted to continue to hold is 27 standard acres or 216 acres of last class of land. In the case of a family or a joint family, six additional standard acres are permitted to be held for each member in excess of five, subject however to double the ceiling limit applicable to the family. Thus a large family holding lands prior to 2nd October 1965 could own upto 432 acres of the last class of land. This is considered to be too liberal a scale having regard to the large number of landless persons desiring to take up cultivation.

The existing law defines family as follows :—

> "family" in relation to a person means such person, and if married, the wife or husband, as the case may be, and the dependant children and grand-children of such person.

It is proposed to adopt a new definition, in which a family would consist of husband, wife and the minor children. This is the natural family. The ceiling for a family consisting of husband, wife and three minor children shall be 10 acres of land with assured irrigation capable of raising two crops of paddy in a year or one crop of sugarcane or 15 acres of irrigated land capable of raising only a single crop of paddy if irrigated from the river projects and major tanks; and 18 acres if irrigated from small tanks. Lands coming under lift irrigation will have a ceiling of 15 acres. Rainfed wet lands will have a ceiling of 25 acres. Dry lands will have a ceiling of 36 acres, 45 acres and 54 acres according to the range of rainfall. For larger families with more than 5 members a proportionate increase is made at the rate of two acres of first class of land for every additional member subject to an overall limit of twenty acres of first class of land.

While applying the ceiling and determining the surplus land for a family, the lands held by the individual members will be added together. Where lands are held separately by the husband and wife of a family, the surplus to be surrendered shall be on *pro-rata* basis from the holding of each member of the family.

Ceiling will not apply to the lands held by Co-operative Farming Societies but the extent held by each person in such society and

also in firms, associations and private trusts shall be deemed to be his personal holding for applying the ceiling.

Persons having assured income of not less than Rs. 12,000 per annum from non-agricultural source are not permitted to hold agricultural lands. Persons who are not cultivating personally are also not permitted to hold agricultural lands.

The term " to cultivate personally " is re-defined so as to require residence within 16 kilometres from the limits of the village in which the land is situated.

The exemptions from the ceiling at present available to the lands exclusively used for grazing of cattle, forest land, land used for specialised farms, land used for sugarcane farms and land used for efficiently managed farms have been removed and exemptions from ceiling area made available only in the following cases, namely :—

(*a*) lands owned by Government or taken on lease from Government for a period not exceeding twenty years ;

(*b*) lands given as a gallantry award ;

(*c*) lands used for stud farms approved by Government ;

(*d*) lands belonging to Agricultural Produce Marketing Societies.

Section 8 regarding rent will apply even to exempted lands.

In the case of Sugar Factories hundred acres of land with assured irrigation facilities for purposes of Research and seed farm are permitted to be held.

Orchards will be treated as dry lands and the ceiling of fifty-four acres is made applicable to them. The lands on which coconut trees are grown are treated as dry if they are grown without any irrigation.

For computation of revised ceiling transfers of lands made from 18th November 1961 will be taken into account.

Rent : Under the existing law, the rent payable by the tenant to the landlord shall not exceed one-fourth of the gross produce or its value in cash in the case of land possessing facilities for assured irrigation from a tank or a river channel, and one-fifth of the gross produce or its value in cash in the case of any other land.

This involves determination of average yield of principal crops, market prices of the various commodities and as such, fixation of rent has become cumbersome process involving much time and energy. The method of fixing the rent is proposed to be simplified by fixing the rent at ten times land revenue for dry lands possessing no facilities for irrigation from Government sources. For lands classified as dry but possessing irrigation facilities from Government sources an additional rent ranging from Rs. 22 per acre per annum to Rs. 66 per acre per annum on the basis of irrigation facilities made available from Government source of irrigation is made payable.

The amount payable to the owner in respect of the non-resumable land vesting in Government under section 44 of the Act and the amount payable in respect of surplus land vesting in Government under section 72 will be a multiple of the net income, which is the same as rent. The multiple will be fifteen for net income upto Rs. 5,000 per annum, twelve for the next slab of net income from Rs. 5,000 to Rs. 10,000 and ten for the slab of net income over Rs. 10,000 per annum paid in instalments through negotiable bonds as at present.

The surplus land that would become available for distribution on applying the revised ceiling will be distributed by following the priorities given below, at the same time reserving fifty per cent of the surplus land for being allotted to the Scheduled Castes and Scheduled Tribes :—

(a) displaced tenants who have no land.	Not less than one unit each.
(b) landless agricultural labourers and other landless persons.	Not less than one unit each.
(c) other persons having less than one unit.	Not less than the extent required to make up one unit.

Opportunity has also been taken to—

(i) authorise the Deputy Commissioner of the District to issue notifications of vesting of non-resumable lands in Government as and when such extents are determined by the authorities concerned ;

(ii) make the Assistant Commissioner the appropriate authority to investigate and locate lands which are deemed to be non-resumable under section 2(A), (29) and section 14(3);

(iii) reduce the price payable by a tenant for site on which a dwelling house is built from twenty times the rent to ten times the rent;

(iv) provide for application of ceiling to holdings becoming irrigable on a future date under Government irrigation projects;

(v) divest Munsiff Courts of certain non-judicial powers and investing them in Revenue Officers;

(vi) provide for the definition of 'Tahsildar' to include 'Special Tahsildar';

(vii) provide for review of the proceedings of the Tahsildar or the Assistant Commissioner by the Divisional Commissioner;

(viii) substitute a new Schedule I in place of the existing one;

And other consequential amendments to quicken the pace of implementation of the Act.

FINANCIAL MEMORANDUM

As a consequence of the reduction of ceiling about 4 lakh acres of land is likely to be available as surplus. The holders of such surplus land will be paid an amount equal to 15 times the rent where the surplus is small. The multiple gets reduced where large extents are involved. These surplus lands will be granted to the displaced tenants having no land, landless agricultural labourers and other persons having less than a basic holding by reserving 50 per cent for Scheduled Castes and Scheduled Tribes and the amount payable to the land owners will be recovered from the grantees in instalments. The scheme of payment and recovery is proposed to be made self financing. Hence, there is no likelihood of any net additional expenditure by Government. On the contrary, as the amount payable to the land owners is on the sliding scale, unlike in the existing provision of the principal Act, the burden of payment of price on the prospective allottees of such surplus land is likely to be lessened to an appreciable degree. The other amendments in this Bill do not involve additional financial burden to the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. *Clause* 11.—Section 14A sought to be inserted by this clause empowers the State Government to prescribe by rules the manner in which the Assistant Commissioner shall hold an enquiry and also the particulars of lands deemed to be non-resumable which he should submit to the Deputy Commissioner along with the list of such lands.

2. *Clause* 24.—Sub-section (3) of section 37 sought to be substituted by this clause empowers the State Government to prescribe by rules fee to be paid by tenant for grant of certificate as also the form of certificate.

3. *Clause* 41.—(i) Sub-section (1) of section 64 sought to be substituted by this clause empowers the State Government to prescribe by rules the period within which a person acquiring land by inheritance or bequest or by sale or execution of a decree or order of a civil court or of an award or order of any other lawful authority shall furnish the return and the other particulars of such land to the Tahsildar.

(ii) Sub-section (2) of section 64 empowers the State Government to prescribe by rules the period within which the return shall be furnished to the Tahsildar by a person whose holding exceeds in the aggregate the ceiling area as a result of marriage or adoption after the commencement of the Act as also the other particulars of lands held by such person.

(iii) Sub-section (3) of section 64A sought to be substituted by this clause empowers the State Government to prescribe by rules the manner in which the Deputy Commissioner may take possession of land deemed to have been transferred to and vested in the State Government under that section.

4. *Clause* 44.—Sub-section (1) of section 66 sought to be inserted by this clause empowers the State Government to prescribe by rules—

(i) the period within which a person who is liable to surrender under section 65 and person whose land is deemed under section 65A to be in excess of the ceiling limit shall furnish declaration to the Tahsildar;

(ii) the other particulars of holding which such person should furnish to the Tahsildar.

5. *Clause* 55.—Sub-section (2) of section 79A sought to be inserted by this clause, empowers the State Government to prescribe by rules the period within which a person or a family whose assured annual income is more than rupees twelve thousand from sources other than agriculture and who or which holds lands to furnish declaration to the Tahsildar and the lands so held as also the other particulars of such land.

It also empowers the State Government to prescribe by rules the period within which a person or a family holding lands becomes in a day after the coming into force of the amended Act or a person or a family disentitled to hold lands under sub-section (1) of the said section acquires lands by inheritance or bequest on any date after the commencement of the amended Act shall furnish declaration to the Tahsildar.

The delegation of the proposed legislative power is of a normal character.

N. HUTCHAMASTHY GOWDA.

TE. HANUMANTHAPPA,
Secretary.

WD 18743—GPB—550—30-10-1973